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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/618,094

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James Clarence Kroll

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EXAMINER

SEFI, BEHROOZ M

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/618,094

Applicant(s)

KROLL ET AL.

Examiner

Behrooz Senfi

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date Oct. 14, 2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 5, 13 – 15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai (US 5,610,580) in view of Schnell (US 6,834,162).

Regarding claim 1, Lai '580 teaches, A video recording system for effectively recording video images of unaware subjects under a broad range of lighting conditions automatically in response to detection of motion by such subject using a camera system having controls enabling selective operation of such camera system 9i.e. fig. 1, col. 1, lines 43 – 48 and col. 2, lines 33 – 67), the video recording system comprising: a motion detector operatively associated with such a camera system in order to selectively produce, in response to detection of motion as by such a subject, an output signal for selectively adjusting such camera's light sensitivity (fig. 1, element 26, processor 20, memory 24 and light 29, col. 2, lines 1 – 10 and col. 3, lines 13 – 18) and for selectively causing such camera system to begin recording video images of such subject (col. 2, lines 64 – 67); a light sensitivity adjustment system for ensuring that such camera is able to effectively record video images of such subject under such broad range of lighting conditions in response to receipt of the output signal (col. 2, lines 45 – 48 and col. 3, lines 13 – 18), the light sensitivity adjustment system

comprising: detect a light level external to such camera system under which light level an unaware subject would be recorded on video images by such a camera system (col. 2, lines 42 – 48 and col. 3, lines 13 – 18).

Although Lai '580 teaches, a processor which control the lens aperture and shutter speed depending on the lighting conditions and trigger the light 29 based on the lighting condition, which in fact controls the light based on the lighting conditions for video recording, as discussed in the above action. But is silent to explicitly mention a photodetection module or light sensor to detect a light level.

Schnell in the same field teaches a light sensor can be incorporated into camera to measure the light condition available to the camera (col. 4, lines 26 – 31) and based on that controller controls the camera flash and shutter.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by Lai in accordance with the teaching of Schnell by using a light sensor into camera to measure the light condition available to the camera, as suggested by Schnell (col. 4, lines 26 – 31).

Regarding claim 2, combination of Lai and Schnell teaches, control system adapted to programmably select the sensitivity of the motion detector in order to establish a desired threshold of motion in response to which the motion detector will produce an output signal (Schnell; fig. 3, elements 301 and 106, col. 6, lines 21 – 24).

Regarding claim 3, the limitation claimed is substantially similar to claim 1 above, and have been analyzed and rejected.

Regarding claim 4, Lai teaches, a programmable microprocessor-based control system operatively connected to the camera system and the motion detector in order to selectively actuate the camera system so as to cause the camera system to begin recording video images (fig. 1, device 10, microprocessor 20).

Regarding claim 5, Lai teaches, wherein the programmable microprocessor-based control system is also adapted to selectively disengage the camera system in order to limit the recording of video images of unaware subjects to a period of time having a desired length (col. 2, lines 37 – 38).

Regarding claim 13, the limitations claimed have been analyzed and rejected with respect to claim 1 above.

Regarding claims 14 - 15, the limitations claimed have been analyzed and rejected with respect to claims 2 - 3 above.

Regarding claim 17, the limitations claimed have been analyzed and rejected with respect to claim 5 above.

Regarding claim 19, Lai teaches, managing recording of video images by the camera system in order to facilitate random access to record visual images (i.e. col. 2, lines 49 – 50).

3. Claims 6 – 12, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai (US 5,610,580) in view of Schnell (US 6,834,162) further in view of Grossman (US 3,748,383).

Regarding claim 6, Lai is silent in regards to infrared lamp associated with camera system.

Grossman in the same field teaches infrared lamp associated with camera system (fig. 6, col. 5, lines 49 – 65).

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by Lai in accordance with the teaching of Grossman by using an infrared lamp, as suggested by Grossman (i.e. abstract, lines 1 – 4, col. 5, lines 49 – 65) for the night use, whereby a picture of good quality and contrast may be obtained with lighting ranging.

Regarding claim 7, the limitations claimed have been analyzed and rejected with respect to claim 1 above. It is noted that, Lai is silent in regards to the additional limitation “filter” associated with a photodetection module.

Grossman in the same field teaches “filter” associated with a photodetection module (i.e. fig. 2, element 26, col. 6, lines 13 – 14) to avoid wash out of the video picture due to bright sources of visible light.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by Lai in accordance with the teaching of Grossman by using a “filter” placed over the lens to avoid wash out of the video picture due to bright sources of visible light, as suggested by Grossman (i.e. col. 6, lines 13 – 14).

Regarding claim 8, Schnell teaches, control system adapted to programmably select the sensitivity of the motion detector in order to establish a desired threshold of

Art Unit: 2621

motion in response to which the motion detector will produce an output signal (Schnell; fig. 3, elements 301 and 106, col. 6, lines 21 – 24).

Regarding claim 9, It is noted that, Lai is silent in regards to, logic control system is operatively connected to the filter, to selectively engage or disengage the filter.

Grossman in the same field teaches, control system is operatively connected to the filter, to selectively engage or disengage the filter (i.e. col. 6, lines 13 – 18).

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by Lai in accordance with the teaching of Grossman to control engagement and disengagement of the filter based on the light condition, as suggested by Grossman(i.e. col. 6, lines 13 – 18).

Regarding claim 10, Lai teaches, a programmable microprocessor-based control system operatively connected to the camera system and the motion detector in order to selectively actuate the camera system so as to cause the camera system to begin recording video images (fig. 1, device 10, microprocessor 20).

Regarding claim 11, Lai teaches, wherein the programmable microprocessor-based control system is also adapted to selectively disengage the camera system in order to limit the recording of video images of unaware subjects to a period of time having a desired length (col. 2, lines 37 – 38).

Regarding claim 12, Lai is silent in regards to infrared lamp associated with camera system.

Grossman in the same field teaches infrared lamp associated with camera system (fig. 6, col. 5, lines 49 – 65).

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by Lai in accordance with the teaching of Grossman by using an infrared lamp, as suggested by Grossman (i.e. abstract, lines 1 – 4, col. 5, lines 49 – 65) for the night use, whereby a picture of good quality and contrast may be obtained with lighting ranging.

Regarding claim 16, the limitations claimed have been analyzed and rejected with respect to claim 7 above.

Regarding claim 18, the limitations claimed have been analyzed and rejected with respect to claim 6 above.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai (US 5,610,580) in view of Schnell (US 6,834,162) further in view of Williams (US 4,293,876).

Regarding claim 20, Lai teaches an imaging device with housing (i.e. fig. 1, housing 12).

Lai is silent in regards to circulation air within the housing for the cooling purpose.

Williams in the same field teaches, fan for circulation air within the housing for the cooling purpose (col. 4, lines 19 – 28, col. 8, lines 31 – 34).

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the imaging device as taught by



Lai in accordance with the teaching of Williams by incorporating a fan in the housing for the purpose of cooling the camera, as suggested by Williams(col. 4, lines 19 – 28, col. 8, lines 31 – 34).

### **Contact**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**,

**Or faxed to:**


**(571) 273-8300**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Art Unit: 2621

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B.M.S.



TUNG VO  
PRIMARY EXAMINER